

R E M A R K S

By this Amendment specification and claims have been amended to better conform with U.S. practice. Entry is requested.

In the outstanding Office Action the examiner has rejected claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Lafferty, he has rejected claim 8 under 35 U.S.C. 103(a) as being unpatentable over Lafferty in view of Abraham, he has rejected claims 11 and 12 under 35 U.S.C. 103(a) as being unpatentable over Lafferty in view of Barnett, and he has stated that claims 4-7, 9 and 10 define allowable subject matter.

The inventor thanks the examiner for his indication of allowable subject matter in claims 4-7, 9 and 10. However, he believes that the examiner's prior art rejections are actually incorrect.

Lafferty discloses a screw-type linear actuator which includes a drive screw with nut and a reciprocating drive tube radially disposed over a portion of the drive screw.

The examiner asserts that Lafferty discloses a rear attachment that has a longitudinal opening in the longitudinal axis of the spindle in which a hand crank can be engaged with the spindle, referring to column 3, lines 59-62 (see bottom of page 2 of Office Action). However, the cited passage of Lafferty reads as follows:

"In the illustrated embodiment drive screw 12 includes a square or hexagonal shaft end 22 which permits manual rotation of drive screw 12 in the event of failure of the drive means 18."

Lafferty goes on to state:

"Gear box 20 includes a mounting block 24 into which are east or machined mounting holes 26. Mounting block 24 and holes 26 provide means by which the stationary part of the linear actuator 10 can be mounted onto a supporting structure."

Accordingly, Lafferty does not mention nor indicate that the shaft end 22 of the spindle goes through the mounting block 24 and when discussing the mounting block 24, in detail in the following he does not mention that it has a through going opening for the shaft end 22 of the spindle. On the other hand, he mentions that the mounting block 24 has mounting holes 26 for mounting onto a supporting structure. Also, Lafferty does not discuss the inter-location of the holes 26 and a through going hole for the shaft end of the spindle, nor does he mention if such holes are placed off-set each other. Also, there are no indications in the drawings that the mounting block 24 has a through going hole for the shaft end of the spindle. Now, presuming that mounting block 24 is located outside the area of the shaft end of the spindle, it makes sense that it goes beyond the end of the mounting block 24 in that it would be

easier to operate it, e.g., with a wrench like hand crank. In fact, Lafferty does not provide any teaching as to the location of the shaft end of the spindle and its arrangement in the gear box 20/drive means 18.

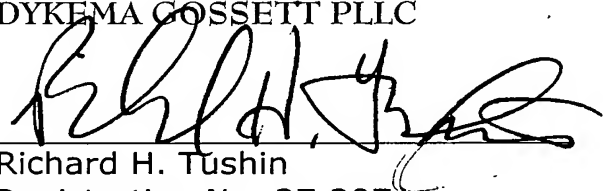
It is believed that Lafferty lacks an essential feature of the claimed invention and that none of the secondary patents can teach otherwise.

An allowance of all the presented claims is requested.

Respectfully submitted,

DYKEMA GOSSETT PLLC

By:



Richard H. Tushin
Registration No. 27,297
Franklin Square, Third Floor West
1300 I Street N.W.
Washington, DC 20005-3353
(202) 906-8680.